

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS E. PEREZ, et al.,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:14-cv-01092

SPARTAN ROOFING COMPANY, INC., et al.,

Defendants.

REPORT AND RECOMMENDATION

This matter is before the Court on Plaintiff's Motion for Default Judgment (Dkt. 10), which was referred to the undersigned by the Honorable Janet T. Neff for report and recommendation under 28 U.S.C. § 636(b)(1)(B).

Summonses were returned executed as to Defendants Spartan Roofing Company, Inc. and the Spartan Roofing Company, Inc. Profit Sharing Plan (Dkt. 6). Defendants failed to answer or otherwise plead, and default was entered pursuant to Fed. R. Civ. P. 55(a) as to both defendants on March 12, 2015 (Dkt. 9). Plaintiff has now moved for default judgment.

The undersigned has reviewed the motion and finds that it comports with the regulations of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §1001, et seq., and recommends that judgment be entered in the form of the proposed judgment attached to plaintiff's motion.

Respectfully submitted,

Date: April 1, 2015

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).